IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESHZ
AT HYDERABAD

MONDAY THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE MR. JUSTICE: **T.CH. SURYA RAO**
CRIMINAL PETITION No. **3881 of 2004**

Between:

1. Ch. Visweswara Rao S/o Sri Umamaheswara Rao, Occ: Advocate, R/o Alwal, Hyderabad
2. Ch. Vijay Kumar S/o Sri Umamaheswara Rao Occ: Asst. Director-Films R/o Ameerpet, Hyderabad

.. Petitioners/(Accused in Cr. 364/2003 on the file of L&O Suryaraopet, Vijayawada)

And

The State of Andhra Pradesh, rep. by its Public Prosecutor,
High Court of A.P. Hyderabad

.. Respondent / Complainant

COUNSEL FOR PETITIONER : Mr. C. Nageshwara Rao
COUNSEL FOR RESPONDENT : The Public Prosecutor.

Petition under Section 438 of Cr. P.C. praying the High Court may be pleased to grant Anticipatory Bail to the Petitioners in Crime No.364/2003 on the file of L & O Sluryaraopet, Vijayawada

The Court made the following:

ORDER:

"Petitioners who are A-2 and A-4 in the crime seek Anticipatory bail. The Crime has been registered against them along with three others, under Sections 406 and 420 of the Indian Penal code.

It is alleged that A1 and A3 floated a chit company under the name and style of "Kanchanganga Chit Fund Private Limited" and having been fallen prey, several depositors invested their money with the said chit fund company by paying monthly installments and the defaulters have not given the amounts when demanded and thereby the chit fund company cheated the people and misappropriated the funds. The allegation against these two petitioners is that they along with other accused canvassed the company and believing that versions, the gullible public invested their amounts

Obviously, these two petitioners are not the directors of the company. Money has been entrusted to the chit fund company and the chit fund company is said to have failed in returning those amounts to the persons entitled to.

In that view of the matter, prima facie, A2 and A3, who are the directors, are responsible for the day-to-day affairs of the company. In that view of the matter, the request of these two petitioners, who are neither director nor partners to the company, for Anticipatory bail shall to be considered.

In the result, the Petition is allowed and the Petitioners shall be enlarged on a bail. In the event of their arrest on each one of them executing a bond for Rs. 5,000/- with two sureties, for a likesum each to the satisfaction of S.H.O., Suryaraopet, P.S., Vijayawda. On such release, they shall co-operate with the investigating officer in the investigation and shall appear before him as and when required for the purpose of investigation in this case.

SD/- M.D. IBRAHIM
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Station House Officer, Suryaraopet, Police Station, Vijayawda, Krishna District.
2. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad. **(OUT)**
3. One CC to Mr. C. Nageswara Rao, Advocate (OPUC)
4. One spare copy.

Skm

HIGH COURT

TCSR.J

DATE : 30-08-2004

ANTICIPATORY BAIL

Crl. P. No. 3881 of 2004

HIGH COURT

SKM
DRAFTED ON : 13-08-2004

TCSR,J

DATED: 13-08-2004

ANTICIPATORY BAIL

Crl. P. No. 3552 OF 2004

DIRECTION